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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,416	04/10/2001	Wolfgang Bartsch	7108 US	9542

7590 12/15/2004
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EXAMINER

DUONG, FRANK

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/832,416	Applicant(s) BARTSCH, WOLFGANG	
	Examiner Frank Duong	Art Unit 2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>04/10/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is a response to communications dated 04/10/01. Claims 1-5 are pending in the application.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

3. The information disclosure statement filed 04/10/01 complies with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. It has been considered and placed in the application file.

Claim Objections

4. Claim 1 is objected to because of the following informalities: Line 1, "protocols" should change to --protocol-- to comply with the written description.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Baker et al (USP 5,793,954) (hereinafter "Baker").

Regarding **claim 1**, in accordance with Baker reference entirety, Baker shows a decoding device for analyzing communication protocol (*Fig. 1 and col. 15-53*) comprising:

a generic decoder (*Fig. 1; elements 16 and 20*) into which a limited number of protocol descriptions may be loaded, the protocol descriptions being capable of being interpreted by the generic decoder (*col. 5, lines 63-67*); and

a specific decoder (*Fig. 1; elements 16 and 22*) designed for a certain protocol description, the generic and specific decoders being reversibly connected (*col. 5, line 66 to col. 6, line 4*) (*note: at col. 2, lines 48-62, Baker discloses the invention is capable of being dynamically configured and modified and at col. 22, lines 39-40, Baker also discloses the invention is to cover all modifications. Thus, it is inherent that the generic and specific decoders being reversibly connected*).

Regarding **claim 2**, in addition to features recited in base claim 1 (see rationales discussed above), Baker further shows wherein the generic decoder comprises at least one element function (*Fig. 2*) that may be overlaid by a corresponding element function (*Fig. 3*) of the specific decoder (*col. 2, lines 48-62 and thereafter, Baker discloses the use of common control logic and programmably configurable protocol description allows changes to existing protocols to be made and support for new protocols to be added without necessitating substantial system changes*).

Regarding **claim 3**, in addition to features recited in base claim 2 (see rationales discussed above), Baker further shows wherein the one overlaid element function may be interpreted by the generic decoder (*col. 2, lines 48-62 and thereafter, Baker discloses the use of common control logic and programmably configurable protocol description allows changes to existing protocols to be made and support for new protocols to be added without necessitating substantial system changes*).

Regarding **claim 4**, in accordance with Baker reference entirety, Baker discloses a method of setting up a decoding device comprising the steps of:

provisioning a generic decoder (*Fig. 1; elements 16 and 20*) into which a limited number of protocol descriptions of communication protocols may be loaded, the protocol descriptions being capable of being interpreted by the generic decoder (*col. 5, lines 63-67*);

provisioning a specific decoder (*Fig. 1; elements 16 and 22*) for a certain protocol description (*col. 5, line 66 to col. 6, line 4*); and

reversibly connecting the generic and specific decoders to form the decoding device (*note: at col. 2, lines 48-62, Baker discloses the invention is capable of being dynamically configured and modified and at col. 22, lines 39-40, Baker also discloses the invention is to cover all modifications. Thus, it is inherent that the generic and specific decoders being reversibly connected*).

Regarding **claim 5**, in addition to features recited in base claim 4 (see rationales discussed above), Baker further discloses wherein the generic decoder comprises at

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least one element function (Fig. 2) overlaid by a corresponding element function (Fig. 3) of the specific decoder during connection of the generic decoding with the specific decoder (*col. 2, lines 48-62 and thereafter, Baker discloses the use of common control logic and programmably configurable protocol description allows changes to existing protocols to be made and support for new protocols to be added without necessitating substantial system changes*).

6. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Holzmann (USP 5,826,017).

Regarding **claim 1**, in accordance with Holzmann reference entirety, Baker shows a decoding device for analyzing communication protocol (*Fig. 2 or 3 and col. 3, line 3 to col. 5, line 61 and thereafter*) comprising:

a generic decoder (207) into which a limited number of protocol descriptions may be loaded, the protocol descriptions being capable of being interpreted by the generic decoder (*col. 4, lines 54-60 and thereafter*); and

a specific decoder (203 or 309) designed for a certain protocol description, the generic and specific decoders being reversibly connected (see Figs. 2-3) (*col. 4, line 47-54 and thereafter*).

Regarding **claim 2**, in addition to features recited in base claim 1 (see rationales discussed above), Holzmann further shows wherein the generic decoder comprises at least one element function (209 or 305) that may be overlaid by a corresponding element function of the specific decoder (*col. 4, line 44 to col. 5, line 61*).

Regarding **claim 3**, in addition to features recited in base claim 2 (see rationales discussed above), Holzmann further shows wherein the one overlaid element function (205 or (203 and 311)) may be interpreted by the generic decoder (*col. 4, lines 56-60 and thereafter*).

Regarding **claim 4**, in accordance with Holzmann reference entirety, Baker discloses a method of setting up a decoding device comprising the steps of:

provisioning a generic decoder (207) into which a limited number of protocol descriptions of communication protocols may be loaded, the protocol descriptions being capable of being interpreted by the generic decoder (*col. 4, lines 54-60 and thereafter*);

provisioning a specific decoder (203 or 309) for a certain protocol description (*col. 4, lines 47-54 and thereafter*); and

reversibly connecting the generic and specific decoders to form the decoding device (*see Figs. 2-3*).

Regarding **claim 5**, in addition to features recited in base claim 4 (see rationales discussed above), Holzmann further discloses wherein the generic decoder comprises at least one element function (209 or 305) overlaid by a corresponding element function of the specific decoder during connection of the generic decoding with the specific decoder (*col. 4, line 44 to col. 5, line 61*).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to

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applicant's disclosure.

Dietz et al (USP 6,665,265).

Tillmann et al (USP 6,564,265).

l'Anson et al (USP 5,347,524).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frank Duong whose telephone number is (571) 272-3164. The examiner can normally be reached on 7:00AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Frank Duong
Examiner
Art Unit 2666

November 29, 2004